

## Order 12. Official Forms

The following official court forms adopted by the Arkansas Supreme Court are found in the publications noted below and may also be found at the Arkansas Judiciary website: (<https://courts.arkansas.gov>).

1. *Probate Forms*: The Supreme Court, pursuant to Ark. Code Ann. section 28-1-114 and its constitutional and inherent powers to regulate procedure in the courts, has adopted thirty-three probate forms. These official forms supersede all earlier versions. The forms are published in 336 Ark. App'x [603] (1999).

2. *Court Forms for Orders of Protection*. The Supreme Court, pursuant to Amendment 80 of the Arkansas Constitution, has adopted the following forms to be used in order-of-protection cases: (a) Ex Parte Order of Protection, (b) Notice of Hearing on Petition for Order of Protection, and (c) Final Order of Protection. The Administrative Office of the Courts in collaboration with the Arkansas Judicial Council and others is authorized to prepare instructions to be used with these documents and to make technical corrections from time to time to the documents. These forms are published in 2010 Ark. 442.

### Comment Text:

[The forms are available in either [HTML](#) <sup>[1]</sup> or [WP5.1](#) <sup>[2]</sup> format]

**Reporter's Notes to Form 12:** See Ark. Code Ann. § 28-40-111. This form shall be used if no will was admitted to probate.

**Addition to Reporter's Notes, 2014 Amendment:** Official probate form 12 was revised to conform with substantive law changes.

**Reporter's Notes to Form 13:** See Ark. Code Ann. § 28-40-111. This form shall be used if a will was admitted to probate and a personal representative was appointed. The language in parentheses in the first paragraph should be substituted for the language immediately preceding it if the personal representative was not nominated in the decedent's will. The form to be used when a will is probated but no personal representative appointed may be found in Ark. Code Ann. § 25-40-111(c)(3). Because such proceedings are infrequent, no official form was adopted.

**Addition to Reporter's Notes, 2014 Amendment:** Official probate form 13 was revised to conform with substantive law changes.

**Reporter's Notes to Form 16 as Amended in 2014 to Conform with Substantive Law Changes:** See Ark. Code Ann. §§ 28-39-101 to -104. The total value under "Itemized Description of Property" is limited to \$2,000 as against creditors and \$4,000 as against distributees. If minor children are not the children of the surviving spouse, the petition should be revised to reflect that the allowance vests in the surviving spouse to the extent of one-half

thereof, and the remainder vests in the decedent's minor children in equal shares. Award for sustenance for a period of two months after death of decedent shall be a reasonable amount, not exceeding \$1,000 in the aggregate. Ark. Code Ann. § 28-39-101(c). Beneath the signature line, the capacity of the petitioner should be identified (e.g., as the personal representative, the surviving spouse, or the guardian of minor children). If the petitioner is the guardian of minor children, the language in parentheses should be substituted for the language immediately preceding it.

### **History Text:**

History

Amended and republished by per curiam order November 11, 2010; amended March 20, 2014, effective July 1, 2014.

### **Associated Court Rules:**

Administrative Orders

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**Source URL:** <https://courts.arkansas.gov/rules-and-administrative-orders/court-rules/order-12-official-forms>

### **Links:**

[1] <https://courts.arkansas.gov/opinions/published/1999a/19990128/probate.html>

[2] <https://courts.arkansas.gov/opinions/published/1999a/19990128/probate.wpd>